

EXHIBIT 22

08/435377
 709
 Class
 ISSUE CLASSIFICATION

6212575
 6212575

UTILITY SERIAL NUMBER 08/435377	PATENT DATE APR 03 2000	PATENT NUMBER
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SERIAL NUMBER 08/435377	FILING DATE 05/05/95	CLASS 709	SUBCLASS 300 300	GROUP ART UNIT 215 2155	EXAMINER CALDWELL Dodd
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APPLICANTS: EDWARD AL CLERON, BENJAMIN COE, STEPHEN FISHER, WENLO PARK, LTD TIME
 10007, MOUNTAIN VIEW, CO.

FOUNDTING DATA*****
 VERIFIED
 NONE
 PCC

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ORIGIN/PCT APPLICATIONS***
 VERIFIED
 NONE
 PCC

CPA CPA

FOR FILING LICENSE GRANTED 07/25/95

Foreign priority claimed 35 USC 119 conditions met	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	AS FILED	STATE OR COUNTRY LA	SHEETS DRWGS. 8	TOTAL CLAIMS 7	INDER CLAIMS 0	FILING FEE RECEIVED \$860.00	ATTORNEY'S DOCKET NO. 91525/112007
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ADDRESS: DEBARY AND PARKINA
 50 RUMES WHART
 DUBLIN, MA 02118

TITLE: EXTENSIBLE, REPLACEABLE NETWORK COMPONENT SYSTEM
 U.S. DEPT. OF COMM./ PAT. & TM-- PTO-436L (Rev.12-84)

PARTS OF APPLICATION FILED SEPARATELY		Applications Examiner	
NOTICE OF ALLOWANCE MAILED		CLAIMS ALLOWED	
11-21-00	P. G. Caldwell Assistant Examiner	Total Claims 13	Print Claim 4
ISSUE FEE		DRAWING	
Amount Due \$1,240.00	Date Paid 2-6-01	Sheets Drwg. 8	Figs. Drwg. 9
Label Area		Print Fig. 9	ISSUE BATCH NUMBER 136
PREPARED FOR ISSUE			
WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and 368. Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only. Formal Drawings (shs) set			

Form PTO-436A (Rev. 8/92)

Issue Fee In File

(FACE)

575FH001

WI-Apple0128448



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/435,377	05/05/96	CLÉRON	M P1525/112007

CEBARI AND MCKENNA
30 ROWES WHARF
BOSTON MA 02110

LM01/0620

EXAMINER

CALDWELL, P

ART UNIT	PAPER NUMBER
2755	32

DATE MAILED:

06/20/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/435,377	Applicant(s) CLERON ET AL.	
	Examiner Pat Caldwell	Art Unit 2755	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) Responsive to communication(s) filed on 05 April 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1, 2, 4-8 and 11-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1, 2, 4-8 and 11-16 is/are allowed.
- 6) Claim(s) 17-19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
a) All b) Some * c) None of the CERTIFIED copies of the priority documents have been:
1. received.
2. received in Application No. (Series Code / Serial Number) _____ .
3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: |

DETAILED ACTION

1. This action is in response to amendment that was received 4-5-00. Claims 3,9,10, and 20 were canceled. Claims 1, 2,4,7,11,12,17 were amended. Claims 1,2,4-8,11-19 are currently pending.

Allowable Subject Matter

2. Claims 1,2,4-8,12-16 are allowed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 17-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Potel et al, "The architecture of the Taligent system", Dr. Dobb's on CD-ROM, Spring 1994.

As per **claim 17**:

Potel et al disclose controlling operations of a computer system with a operating system coupled to a software component architecture layer (**Taligent architecture of extensible software frameworks that are a collection of objects that provide an integrated service**), platform for developing components for operation on a variety of hardware and software computer systems (**frameworks that can be deployed on multiple operating systems and multiple hardware platforms**) and a network

component layer for creating network navigation components configured and providing a network service (**frameworks, such as file systems, I/O devices, database access, microkernel services and network protocols, that deliver services to the system**) [pp. 1-3 of enclosed copy].

As per **claim 18**:

Potel et al in combination with APA teach extending navigation components (**API which provides interfaces for extensions of frameworks**) [Potel: page 2 of enclosed copy].

As per **claim 19**:

Potel et al in combination with APA teach browsing (**dynamic browsers**) [Potel : page 3 of enclosed copy].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (APA), pp. 2-8, Potel, "The architecture of the Taligent system", Dr. Dobb's on CD-ROM, Spring 1994 in view of Anderson (US 5,537,526).

As per **claim 17**:

APA teaches network component layer (**Web services**) for creating a plurality of components and invoking a component to provide network service [pp 2-8].
However, APA does not teach a software component architecture layer and a platform for developing components for operations on a variety of hardware and software computer systems.

Potel et al disclose controlling operations of a computer system with a operating system coupled to a software component architecture layer (**Taligent architecture of extensible software frameworks that are a collection of objects that provide an integrated service**), platform for developing components for operation on a variety of hardware and software computer systems (**frameworks that can be deployed on multiple operating systems and multiple hardware platforms**). [pp. 1-3, 5].

It would have been obvious to modify the system of APA by implementing the limitations discussed above because it provides the capability for extending services across diverse operating systems and hardware platforms.

As per **claim 18**:

APA in combination with Potel et al teach extending navigation components (API which provides interfaces for extensions of frameworks) [Potel: page 2 of enclosed copy].

As per **claim 19**:

APA in combination with Potel et al teach browsing (dynamic browsers) [Potel : page 3 of enclosed copy].

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Art Unit: 2755

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Response to Arguments

7. Applicant's arguments with respect to claims 17-19 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pat Caldwell whose telephone number is 703-305-3805. The examiner can normally be reached on FLEXTIME.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

pc
June 17, 2000


MAJID A. BANANKHAH
PRIMARY EXAMINER

575FH367

WI-Apple0128814



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
05/7035/377	05/05/98	ELERUN	N P1525/112007

ELGALI AND MCKENNA
10 ROMES WHARF
BOSTON MA 02110

TMS1/1121

EXAMINER

CALDWELL, P

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 11/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notice of Allowability	Application No.	Applicant(s)	
	08/435,377	CLERON ET AL.	
	Examiner	Art Unit	
	Pat Caldwell	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- This communication is responsive to amendment after final that was received 11/3/00.
- The allowed claim(s) is/are 1,2,4-8,11-16, which have been renumbered as 1-13.
- The drawings filed on _____ are acceptable as formal drawings.
- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - All
 - Some*
 - None of the:
 - Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.
- Acknowledgment is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


- Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- Applicant MUST submit NEW FORMAL DRAWINGS
 - including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - hereto or 2) to Paper No. 6.
 - including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.
- Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____
<input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____	<input type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other


 MAJIDA BABANIKHAT
 PRIMARY EXAMINER

DETAILED ACTION

1. This communication is in response to amendment after final that was received 11/03/00. Claims 17-19 were canceled.

Allowable Subject Matter

2. Claims 1,2,4-8, 11-16 are allowed. Claims have been renumbered to 1-13.
3. The following is an examiner's statement of reasons for allowance: The present application is directed towards an extensible and replaceable layered component arrangement residing on a computer coupled to a computer network. Independent claim 1 uniquely recites "a network component layer for developing network navigation components that provide services to the computer network, the network component layer includes application programming interfaces" and "a first class included in the application programming interfaces to construct a first network navigation object that represents different network resources available on the computer network, wherein the network layer coupled to the software component architecture layer in integrating relation to facilitate communication among the computing and network navigation components". Independent claim 6 uniquely recites "a network component layer for developing network navigation configured to search and obtain information available on the computer networks, the network component layer includes application programming interfaces" and "means for constructing a network navigation component that represents different resources available on the computer network, wherein the network".

layer is integrally coupled to the software architecture layered to ensure communication among the computing and network navigation components'. The closest prior art, Applicants' admitted prior art & Potel, teaches a extensible layered (Taligent environment) arrangement. However, the prior art fails to teach or suggest the combination of above underlined limitations when the claim elements are interpreted in light of Applicants' specification. The prior art does not teach nor fairly teach the same or equivalent structure and function corresponding to the claimed "means for constructing a network navigation component" and "first class included in the application programming interfaces".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pat Caldwell whose telephone number is 703-305-3805. The examiner can normally be reached on FLEXTIME.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-9052 for After Final communications.

Application/Control Number: 08/435,377
Art Unit: 2151

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

pc


MAJD A. BAKHAR
PRIMARY EXAMINER

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